

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

LODGED

JAN 11 2006

CLERK, U. S. DISTRICT COURT
DISTRICT OF HAWAII

JAN 13 2006

at 2 o'clock and 53 min. PM
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00365-DAE
)	
Plaintiff,)	APPLICATION AND ORDER
)	REGARDING TEMPORARY TRANSFER
v.)	OF CUSTODY TO THE STATE OF
)	HAWAII REGARDING WRIT OF
EDWARD KEANOI PRICE,)	HABEAS CORPUS AD
also known as Coodie,)	PROSEQUENDUM; EXHIBITS "A AND
)	B"; AND ORDER
Defendant.)	
)	
)	
)	

APPLICATION AND ORDER REGARDING TEMPORARY TRANSFER
OF CUSTODY TO THE STATE OF HAWAII REGARDING
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Ryan Shinsato, Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, hereby moves the Honorable Court for an Order authorizing the temporary transfer of the physical custody of Edward Keanoi Price, also known as Coodie, from the United States Marshal Service, District of Hawaii, to State of Hawaii officials at any time or times deemed necessary until

the conclusion of State of Hawaii v. Edward Keanoi Price, also known as Coodie, Criminal No. 04-1-0535.

Defendant Edward Keanoi Price, also known as Coodie, is now detained in the custody of the United States Marshal Services, District of Hawaii, pending Sentencing.

Defendant Edward Keanoi Price, also known as Coodie, has a Jury Trial before the Honorable Karl K. Sakamoto, Judge of the Circuit Court of the First Circuit, State of Hawaii, currently scheduled commencing on January 30, 2006, 8:30 a.m..

The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney assigned to the above matter. (see, Exhibit "A").


This Application requests that the Court grant a temporary transfer of the physical custody of Edward Keanoi Price, also known as Coodie, from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Writ of Habeas Corpus ad Prosequendum filed on January 11, 2006, in the Circuit Court of the First Circuit, State of Hawaii (see, Exhibit "B").

Upon conclusion of State of Hawaii v. Edward Keanoi Price, also known as Coodie, Criminal No. 04-1-0535, Defendant Edward Keanoi Price, also known as Coodie, will be returned to the United States Marshal Service, District of Hawaii.

Dated at Honolulu, Hawaii: January 11, 2006.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

By 

RYAN SHINSATO
Deputy Prosecuting Attorney
City and County of Honolulu

6412958

US ATTORNEYS OFFICE

08:21:47 a.m. 01-09-2006

1/1

JAN-08-2006 FK1 11:38 AM PROSECUTING ATTORNEY

FAX NO. 808 527 6552

P. 02

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALU PLAGE
1080 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE (808) 547-7400

PETER B. CAHILL
PROSECUTING ATTORNEY



WALAN D. WHITE
FIRST DEPUTY PROSECUTING ATTORNEY

January 6, 2006

Florence Nakakuni,
Assistant United States Attorney
Prince Kuhio Federal Building
100 Ala Moana Boulevard
Hwa Wing, 6th Floor
Honolulu HI 96813

RE: State of Hawaii v. Edward Keanoi Price
Criminal No. 04-1-0535

Dear Ms. Nakakuni:

I understand the above-named individual is currently in the custody of the federal government. The State of Hawaii has a case involving the same individual and would like your approval to take custody of this person on January 30, 2006 for a trial scheduled that day. The State of Hawaii will return the individual upon the completion of his trial and will later make arrangements with you for the Defendant's future State court appearances, if any.

Please sign below if you agree to this request and FAX a copy of this letter to me, FAX no. 527-6552. Our office will then file a Writ of Habeas Corpus ad Prosequendum and an Order Changing the Temporary Transfer of Custody.

Thank you for your cooperation in this matter. If you have any questions, please call me at 547-7473.

Very truly yours,

Rene Lee
Paralegal

APPROVED:

Florence Nakakuni
Assistant United States Attorney

OPTIONAL FORM NO. 10 (7-99)

FAX TRANSMITTAL

of pages 1

TO	Rene Lee	FROM	Florence Nakakuni
THAT/AGENCY	Dept of Pros Attorney	PHONE	541-2850
FAX NO.	541-0473527652	FAX	541-2958

NSN 7540-01-317-7300

5099 101

GENERAL SERVICES ADMINISTRATION

EXHIBIT "A"

PETER B. CARLISLE 2209
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 Deputy Prosecuting Attorney
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 Ph: 527-6421
 FAX: 547-7513
 Attorneys for State of Hawaii

1ST CIRCUIT COURT
 STATE OF HAWAII
 FILED

2006 JAN 11 AM 9:04

M.N. TANAKA
 CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN THE MATTER OF THE
 APPLICATION OF THE STATE OF
 HAWAII FOR A WRIT OF HABEAS
 CORPUS AD PROSEQUENDUM RE
 EDWARD KEANOI PRICE,
 also known as Coodie,

 Defendant.

S. P. NO. 06-1-0012
 (Cr. No. 04-1-0535)

APPLICATION FOR WRIT OF HABEAS
 CORPUS AD PROSEQUENDUM; ORDER
 DIRECTING ISSUANCE OF WRIT OF
 HABEAS CORPUS AD
 PROSEQUENDUM; WRIT OF HABEAS
 CORPUS AD PROSEQUENDUM

APPLICATION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE KARL K. SAKAMOTO, JUDGE OF THE ABOVE ENTITLED COURT:

Comes now the STATE OF HAWAII, by and through Ryan Shinsato, Deputy Prosecuting Attorney of the City and County of Honolulu, State of Hawaii, and respectfully alleges as follows:

1. That EDWARD KEANOI PRICE, also known as Coodie, has a case in the Circuit Court of the First Circuit, Honolulu, Hawaii, Criminal No. 04-1-0535;
2. That Jury Trial in Criminal No. 04-1-0535 is scheduled to commence on January 30, 2006, 8:30 a.m., before the Honorable KARL K. SAKAMOTO;

EXHIBIT "B"

3. That said Defendant is now imprisoned as a federal prisoner under the custody of the UNITED STATES MARSHAL, District of Hawaii, and is being detained at the Federal Detention Center, Honolulu, Hawaii, and

4. That in order to procure Defendant's presence in the Circuit Court of the First Circuit, it is necessary that a Writ of Habeas Corpus ad Prosequendum be issued, pursuant to Chapter 660, Hawaii Revised Statutes.

WHEREFORE, Applicant prays that the Clerk of this Court be directed to issue a Writ of Habeas Corpus ad Prosequendum commanding the:

UNITED STATES MARSHAL, District of Hawaii, or his/her deputy to make available the body of EDWARD KEANOI PRICE, also known as Coodie, to State of Hawaii Officials on January 30, 2006, and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant to:

1. bring the said Defendant before the Honorable KARL K. SAKAMOTO, Judge of the Circuit Court of the First Circuit, on January 30, 2006, 8:30 a.m.; and further to bring the said Defendant before the Presiding Judge of the Circuit Court of the First Circuit at any time or times deemed necessary in the further proceeding of Criminal No. 04-1-0535;

2. retain custody of the said Defendant and he/she shall be confined with the Department of Public Safety, State of Hawaii, during the pendency of these proceedings; and thereafter;

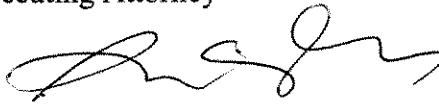
3. return the said Defendant to the custody of the UNITED STATES MARSHAL,
District of Hawaii, upon the conclusion of Criminal No. 04-1-0535 on a mutually agreed upon date.

Dated at Honolulu, Hawaii: January 9, 2006.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

By



RYAN SHINSATO
Deputy Prosecuting Attorney
City and County of Honolulu

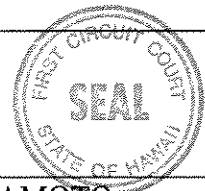
ORDER DIRECTING ISSUANCE OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that the Clerk of
this Court be and hereby is instructed to issue the Writ of Habeas Corpus ad Prosequendum prayed
for in the foregoing Application.

Dated at Honolulu, Hawaii:

JAN 11 2006

Karl K. Sakamoto



KARL K. SAKAMOTO
Judge of the above entitled court

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: UNITED STATES MARSHAL, District of Hawaii, or His/Her Deputy; and
STATE OF HAWAII OFFICIALS

GREETINGS:

We command that you, UNITED STATES MARSHAL, District of Hawaii, or your Deputy, produce the body of EDWARD KEANOI PRICE, also known as Coodie,, who is being detained as a federal prisoner under your custody, to STATE OF HAWAII OFFICIALS on January 30, 2006 and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant, to:

1. bring the said Defendant before the Honorable KARL K. SAKAMOTO, Judge of the Circuit Court of the First Circuit, on January 30, 2006, 8:30 a.m.; and further to bring the said Defendant before the Presiding Judge of the Circuit Court of the First Circuit at any time or times deemed necessary in the further proceeding of Criminal No. 04-1-0535;

2. retain custody of the said Defendant and he/she shall be confined with the Department of Public Safety, State of Hawaii, during the pendency of these proceedings; and thereafter;

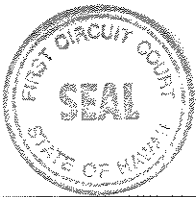
3. return the said Defendant to the custody of the UNITED STATES MARSHAL, District of Hawaii, upon the conclusion of Criminal No. 04-1-0535 on a mutually agreed upon date.

Upon completion of the above and conclusion of Criminal No. 04-1-0535, it shall be deemed sufficient compliance with this writ.

WITNESS the Honorable KARL K. SAKAMOTO, Judge of the Circuit Court of the First
Circuit at Honolulu, Hawaii, and the seal of said Court this _____ day of

JAN 11 2005

Karl K. Sakamoto



Judge of the Circuit Court
First Circuit, State of Hawaii

D. GORA

Clerk, Circuit Court, First Circuit
State of Hawaii

ORDER GRANTING TEMPORARY TRANSFER OF
CUSTODY TO THE STATE OF HAWAII REGARDING
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Upon reading and filing of the foregoing Application for Temporary Custody to the State of Hawaii Regarding Writ of Habeas Corpus ad Prosequendum and good cause appearing therefor,

IT IS HEREBY ORDERED that the United States Marshal Service, District of Hawaii, temporarily transfer the physical custody of Defendant Edward Keanoi Price, also known as Coodie, to State of Hawaii Officials at any time or times deemed necessary until the conclusion of State of Hawaii v. Edward Keanoi Price, also known as Coodie, Criminal No. 04-1-0535. Upon the conclusion of the case, State of Hawaii officials are to return the said Defendant back to the United States Marshal Service, District of Hawaii.

Dated: 1/12/06 at Honolulu, Hawaii.



UNITED STATES MAGISTRATE JUDGE

United States v. Edward Keanoi Price, also known as Coodie
Cr. No. 05-00365-DAE
Application and Order Regarding
Temporary Transfer of Custody to the
State of Hawaii Regarding Writ of
Habeas Corpus ad Prosequendum